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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/971,771		10/09/2001	Philip Bush	2334-194	2486
23117	7590 10/07/2003			EXAMINER	
NIXON & VANDERHYE, PC				FORTUNA, JOSE A	
1100 N GLEBE ROAD 8TH FLOOR				ART UNIT	PAPER NUMBER
ARLINGTO	ARLINGTON, VA 22201-4714			1731	
				DATE MAILED: 10/07/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

United States Patent and Trademark Office



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AN DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFIC WASHINGTON, DC 202.

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on	endment document to be of the amendment				
THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO 1. Amendments to the specification: A. Amended paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other	BE NON-COMPLIANT:				
 □ 2. Abstract: □ A. Not presented on a separate sheet. 37 CFR 1.72. □ B. Other 					
3. Amendments to the drawings:					
4. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all claims (incl. withdrawn claims C. Each claim has not been provided with the proper status identifier, and as such, the cannot be identified. D. The claims of this amendment paper have not been presented in ascending numeric E. Other:	individual status of each clain				
For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf . If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.					
If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the ame <i>fide</i> attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH fr within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid at OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).	om the mailing of this notice				
If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Adviresponse to a final rejection continues to run from the date set in the final rejection, and is not a status of the amendment. Legal Instruments Examiner (LIE)					

July 22, 2003 (rev.)

REVISED AMENDMENT PRACTICE HIGHLIGHTS Technical Support Staff

Requirements of the revised amendment practice of the final rule for all amendments filed on or after July 30, 2003:

- 1. Each amendment section must begin on a separate sheet
- 2. A <u>separate "clean" version</u> of a currently amended paragraph or claim is NO LONGER REQUIRED (except for a <u>substitute</u> specification see No. 5 below)
- 3. If the amendment adds, changes, or deletes any claim, a <u>listing of all</u> <u>claims</u> that are, or were, in the application, must be provided as follows:
 - The claims must be listed in ascending numerical order
 - The <u>text of all pending claims including withdrawn claims must</u> be <u>presented</u>; no text for "canceled" or "not entered" claims
 - A <u>status identifier</u> must be presented in parentheses after the claim number for each claim; only the following identifiers are permitted: (original), (currently amended), (canceled), (withdrawn), (new), (previously presented), and (not entered)
 - All "currently amended" claims must have <u>markings</u> to show changes; the only markings permitted are underlining for added matter, strikethrough and double brackets [[]] (for five or fewer characters) for deleted matter
 - Grouping of consecutive "canceled" or "not entered" claims permitted (e.g., claims 2-8 (canceled))
- 4. Upon receipt of a complete listing of all claims, LIEs should cancel all previous versions of claims in the application by drawing a line through the previous versions of claims
- 5. Amendments to the specification by <u>marked-up replacement</u> <u>paragraphs or sections only</u> no clean replacement paragraph or section is required; <u>NO</u> replacement <u>sheets</u> permitted
 - Note, however, that for <u>substitute</u> specifications, rule 1.125 continues to require both a clean and marked-up copy
- 6. <u>Drawing changes</u> without markings clean replacement drawing sheets only annotated sheet(s) showing changes may be submitted
 - Explanation separately provided